HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO. 3912 OF 2007

DATED: 27.2.2007

Between:

Smt Rednam Manemma wife of Rednam Venkata Subba Rao

.Petitioner

and

Vice Chairman, Visakhapatnam Urban Development Authority, Visakhapatnam and others

…Respondents

THE HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO.3912 OF 2007

ORAL ORDER:

The writ petition is filed on an apprehension that the respondents, in particular, the Visakhapatnam Urban Development Authority (VUDA) is proceeding to dispossess the petitioner of her land in an extent of Ac.4.90 cents in Sy.No.143/8 of Paradesipalem village, Visakhapatnam without initiating any proceedings either for resumption or acquisition of the land. The petitioner's husband late Venkata Subba Rao a resident of the village is claimed to have been assigned the land vide proceedings No.4118/61 dated.15-04-1960 by the then Tahsildar, Visakhapatnam. On the death of her husband, the petitioner continued in the possession, occupation and enjoyment of the land.

According to the petitioner, with a view to make plots in the land with the assistance of Malaysian Companies the VUDA is seeking to disturb the petitioner's possession and takeover the land. No proceedings either for resumption of the land assigned to the petitioner's husband and continuing with her or for acquisition of the land in accordance with the provisions of the Land Acquisition Act,1894 or any other legislative provision, have been initiated. According to the petitioner, the officials of the 1st respondent came on to the land on 22-02-2007 and asked the petitioner to vacate the land failing which they would forcibly take over the land.

These grievances led to the filing of the writ petition.

On instructions, Ms.V.Preeti Reddy, the learned counsel for the 1st respondent states that has yet there are no proposals for acquisition of the land in question and that the respondents will not forcibly dispossess the petitioner except by following the due process of law. As and when the 1st respondent desires to take over the land for whatever official purposes and in public interest, the 1st respondent will follow the due process of law either for acquisition or resumption of the land, is the undertaking on behalf of the 1st respondent.

In the light of the aforementioned submission made on behalf of the 1st respondent by the learned counsel for the said respondent, the apprehension of the petitioner is seen to have no basis.

The writ petition is accordingly disposed of as infructuous at the stage of admission. In the circumstances there shall be no order as to costs.

GODA RAGHURAM,J

27th FEBRUARY,2007

Note:

Operative portion by wire at party's cost

(B/O)

***TSNR**